

RECEIVED  
CENTRAL FAX CENTER

FEB 14 2006

Dkt No. 3000111-7048184001  
(4818CIP1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	)	
	)	<b>Group Art Unit: 3733</b>
<b>David L. Brock, et al.</b>	)	
	)	<b>Confirmation No.: 9975</b>
<b>Serial No.: 10/010,150</b>	)	
	)	<b>Examiner: Pedro Philogene</b>
<b>Filed: November 16, 2001</b>	)	
	)	
<b>For: FLEXIBLE INSTRUMENT</b>	)	

**TERMINAL DISCLAIMER UNDER §37 CFR 1.321(C)**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The assignee, Hansen Medical, Inc., is the owner of all rights, title, and interest to the above-identified application (hereinafter, the "immediate application") pursuant to an assignment recorded in the Patent and Trademark Office to Hansen Medical, Inc. on May 28, 2005 at Reel 016489, Frame 0395.

The evidentiary documents have been reviewed, and, as of the signing of this Terminal Disclaimer, to the best of assignee's and the undersigned's knowledge and belief, Hansen Medical, Inc. is still the owner of all such rights, title, and interest. Hansen Medical, Inc. hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 and §173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending U.S. Application Serial No. 10/012,586, filed on November 16, 2001, and hereby agrees

OC/211518.1

Dkt No. 3000111-7048184001  
(4818CIP1)

that any patent so granted on the instant application shall be enforceable only for and during such period that it and said patent granted on the U.S. Application Serial No. 10/012,586 are commonly owned. This agreement is to run with any patent granted on the instant application and is binding upon the grantee, its successors, and/or assigns.

In making the above disclaimer, Hansen Medical, Inc. does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of U.S. Application Serial No. 10/012,586, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I, Michael J. Bolan of the law firm of Vista IP Law Group LLP, represent that I am a representative authorized to make this disclaimer on behalf of Hansen Medical, Inc.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The Commissioner is authorized to charge Deposit Account No. 50-1105 in the amount of

Dkt No. 3000111-7048184001  
(4818CIP1)

\$65.00 for filing this disclaimer and to cover any fees that may be required to said Deposit Account  
No. 50-1105.

Respectfully submitted,

**VISTA IP LAW GROUP LLP**

Dated: February 14, 2006

By: 

Michael J. Bolan  
Reg. No. 42,339

Customer No. 23410  
Vista IP Law Group LLP  
2040 Main Street, 9<sup>th</sup> Floor  
Irvine, CA 92614